

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2(b)(3) of the B.C.Z.R. to permit 56 parking spaces in lieu of the required 66 spaces (a variance of 10 spaces)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Petitioner is proposing to add an additional window to the existing Drive-Thru Booth, vestibules and a dining room addition to the existing McDonald's fast food restaurant, all as more particularly described on the plat accompanying this Petition. Grant of the variance is in harmony with the spirit and intent of the zoning regulations, and would not result in substantial injury to public health, safety and general welfare. Denial of Petitioner's request would cause practical difficulty and unreasonable hardship.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

CO-SIGNER/CO-OWNERS Lessee:

R. Rodman Mann

(Type or Print Name)

R. Rodman Mann, President

G.M. Food Corporation

21 Fegans Drive

Arnold, Maryland 21012

City and State

Attorney for Petitioner:

Robert W. Cannon

(Type or Print Name)

Robert W. Cannon

100 South Charles Street

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.: (301) 332-8816

Address

Legal Owner(s):

McDonald's Corporation

(Type or Print Name)

McDonald's Corporation

3015 Williams Drive (703) 698-4000

Address

Fairfax, Virginia 22031

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert W. Cannon, Esquire

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert W. Cannon, Esquire

100 South Charles Street

Baltimore, Maryland 21201 (301) 332-8816

City and State

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of July, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 12th day of August, 1988, at 11:30 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2HR. (over)

AVAILABLE FOR HEARING MON., TUES., WED. - NEXT TWO MONTHS

ALL OTHER DATE 4-7-88

REVIEWED BY: J. Robert Haines

Property Description For 2222 Dundalk Avenue, Baltimore, MD

BEGINNING FOR THE SAME at the corner formed by the intersection of the East side of Willow Spring Road, 70 feet wide, and the North side of East side of Willow Spring Road, 70 feet wide, and running thence and binding on the East side of Willow Spring Road North 83 Degrees 25 Minutes 08 Seconds East Sunship Road, 40 feet wide, and running thence and binding on the North side of Sunship Road North 83 Degrees 25 Minutes 08 Seconds East Sunship Road, 40 feet wide, and running thence and binding on the West side of Dundalk Avenue, 165.74 feet to the corner formed by the West side of Dundalk Avenue, 120 feet wide, and the North side of Sunship Road, 40 feet wide, and running thence and binding on the West side of Dundalk Avenue North 20 Degrees 22 Minutes 58 Seconds West 324.80 feet, thence leaving the West side of Dundalk Avenue and running South 84 Degrees 16 Minutes 10 Seconds West 65.30 feet to the East side of Willow Spring Road herein referred to and running thence and binding thereon South 0 Degrees 21 Minutes East 150.18 feet and South 4 Degrees 16 Minutes East 167.26 feet to the place of beginning.

Containing 0.8572 acres of land, more or less.

IN RE: PETITION FOR ZONING VARIANCE
NW/Corner Dundalk Avenue and
Sunship Road
(2222 Dundalk Avenue)
12th Election District
7th Councilmanic District
McDonalds Corporation
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 88-531-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 56 parking spaces in lieu of the required 66 spaces, as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by Peter Freitag, Construction Manager for McDonalds Corporation; and, R. Rodman Mann, President, and Clarence L. Combs, Operation Manager, with G & M. Foods Corporation, Lessee of the subject property, appeared, testified and were represented by Robert W. Cannon, Esquire. Also appearing on behalf of the Petition was Tony Cortreal of STV Lyons Associates. The following persons appeared as Prose-

Testimony indicated that the subject property, known as 2222 Dundalk Avenue, is zoned B.L. and is improved with an existing McDonalds fast-food restaurant. The Petitioner proposes improving the subject property to accommodate the changes in today's marketplace. The Petitioner proposes adding a second window at the drive-thru, the addition of a handi-capped ramp, an addition on the north end of the existing building, and making improvements to the existing vestibule area. In addition to providing better access for its customers, Mr. Mann indicated that the proposed improvements will enable the restaurant to provide a better distinction between the smoking and non-smoking areas. The proposed additions will

result in the need for a parking variance. However, testimony indicated that the parking variance, if granted, will not result in a parking problem due to the high volume of drive-thru and walk-in customers at this location. Testimony presented indicated that currently the drive-thru business at this site is greater than 50%. The Petitioner believes that the second drive-thru window will increase its drive-thru business to 60% to 65% of their overall sales. Mr. Mann testified that he has operated the restaurant for the past 16 years since its opening on June 30, 1972. He testified that he is on the premises almost every day at various times of the day. He indicated that on no occasion has there been a parking problem and further, that there is an average vacancy of a minimum of 15 to 20 parking spaces.

Mr. Combs has been employed by G & M Food Corporation for the past 3 and 1/2 years. He indicated that prior to his employment with G & M, he worked for McDonalds Corporation and was involved with the operation at this particular site. He testified that he is on the property a minimum of four days a week. He indicated that during the restaurant's peak hours of business, generally at lunch time, only approximately 75% of the parking spaces are occupied. He further indicated that at all other times, it is not unusual for there to be only 25% occupancy of parking spaces. Mr. Combs believes that the proposed improvements will not substantially increase the eat-in traffic and/or the need for additional parking spaces. The Petitioner's witnesses testified that practical difficulty and unreasonable hardship would result if the variance requested was not granted. Further, it is the Petitioner's contention that the granting of the variance will in no way result in any detriment to the health, safety and general welfare of the public.

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2) The Petitioner shall comply with the requirements of the Department of Traffic Engineering as set forth in their Zoning Plans Advisory Committee comments dated May 13, 1988, a copy of which is attached hereto and made a part hereof, unless said requirements are deemed to have been met by that Department by Petitioner's Exhibit A, and/or are waived or modified by that Department.

3) If a modification to Petitioner's Exhibit A is deemed necessary by the Department of Traffic Engineering, the revised site plan shall be submitted for approval to the Deputy Zoning Commissioner.

4) The Petitioner shall screen the side of its property along Sunship Road with white pine trees a minimum of 4 feet in height.

5) The Petitioner is advised that when applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

August 25, 1988

Dennis F. Rasmussen
County Executive

Robert W. Cannon, Esquire
Weinberg and Green
100 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR ZONING VARIANCE
NW/Corner Dundalk Avenue and Sunship Road
(2222 Dundalk Avenue)
12th Election District - 7th Councilmanic District
McDonalds Corporation - Petitioner
Case No. 88-531-A

Dear Mr. Cannon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ

Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Messrs. Oscar M. Keys, Jr. and III
106 Dundalk Avenue, Baltimore, Md. 21222

People's Counsel

File

In response to the Zoning Plans Advisory Committee comments made by the Department of Traffic Engineering dated May 13, 1988, the Petitioner submitted a revised site plan which provides for 57 parking spaces. Said site plan was received in this office on August 15, 1988 and has been incorporated into the file and marked Petitioner's Exhibit A.

Mr. Keys, Jr. testified that he and his son own the property across the street from the subject site on Sunship Road. He indicated that he is interested in having the Petitioner provide a buffer on the side of the property along Sunship Road. As a result of discussions between Mr. Keys and the property owner, it was agreed that white pines would be planted on Sunship Road along the Petitioner's property. Other operational management concerns were expressed by Mr. Keys, which, although important to the parties, are not relevant to the issues in this case.

Petitioner seeks relief from Section 409.6A2 (formerly 409.2(b)(3)), pursuant to Section 307 of the B.C.Z.R. The subject parking regulations were amended by Baltimore County Council Bill No. 26-88 effective May 26, 1988. While the requirements in this case were not modified, the controlling provision has changed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the

- district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the relief requested should be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of August, 1988 that the Petition for Zoning Variance to permit 57 parking spaces in lieu of the required 66 spaces, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) Following approval of Petitioner's Exhibit A by the Department of Traffic Engineering, the Petitioner may apply for his building permit and be granted same upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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**"DUPLICATE"
CERTIFICATE OF PUBLICATION**

TOWSON, MD., June 16, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 16, 1988

THE JEFFERSONIAN,

S. Zate Orman
Publisher

33.75

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
Case Number: 88-531-A
111 W. Chesapeake Avenue and 1222 Dundalk Avenue
12th Election District
7th Councilmanic District
Petitioner(s): McDonald's Corporation
Hearing Date: Tuesday, July 12, 1988 at 10:30 a.m.
Variance to permit 36 parking spaces in lieu of the required 65 spaces (a variance of 10 spaces).
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
6210 June 16

**CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY**

Towson, Maryland

District: 12th Date of Posting: 6/15/88
Posted for: Variance
Petitioner: McDonald's Corporation
Location of property: NW 1/4 Dundalk Ave. & Sunship Rd.
2822 Dundalk Ave.
Location of Signs: Facing Dundalk Ave., 1222 W. 10th St. & Sunship Rd.
on property of Petitioner
Remarks:
Posted by: Shirley Hess Date of return: 7/1/88
Number of Signs: 1

88-531-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 20th day of June, 1988.

J. Robert Haines
ZONING COMMISSIONER

Petitioner: McDonald's Corporation
Petitioner's Attorney: Robert W. Cannon, Esquire
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: June 30, 1988



R. Potman Farm
O & P Food Corporation
21 Peacock Drive
Arlow, Maryland 21012

Re: Petition for Zoning Variance
CASE NUMBER: 88-531-A
111 W. Chesapeake Avenue and Sunship Road
(2822 Dundalk Avenue)
12th Election District - 7th Councilmanic District
Petitioner(s): McDonald's Corporation
HEARING SCHEDULED: TUESDAY, JULY 12, 1988 at 10:30 a.m.

Dear Mr. Potman:

Please be advised that \$ 98.70 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 52705
DATE: 7/1/88 ACCOUNT: 88-531-A
AMOUNT: \$ 98.70
RECEIVED FROM: S. M. Food Corp.
FOR: Advertising & Posting
8 151*****367015 612.F
VALIDATION OR SIGNATURE OF CARRIER
88-531-A

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

May 13, 1988



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 372 - ZAC - Meeting of April 19, 1988
Property Owner: McDonald's Corp.
Location: NWC Dundalk Ave. and Sunship Rd.
Existing Zoning: B.L.

Dear Mr. Haines:

It is recommended that the middle access point on Dundalk Avenue be eliminated.

A 4 foot island should be constructed at the south side of the Northernmost access on Dundalk Avenue to separate the parking spaces from the entrance/exit.

Some parking spaces, including the handicapped spaces, may have to be revised to accommodate the new circulation on the site.

DO NOT ENTER/ONE WAY signs should be installed and maintained to insure directional access to and from the site.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RF/pml-b

RECEIVED
MAY 18 1988
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Rev. 1-1, 1788

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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CASE NUMBER: 88-531-A
111 W. Chesapeake Avenue and Sunship Road
(2822 Dundalk Avenue)
12th Election District - 7th Councilmanic District
Petitioner(s): McDonald's Corporation
HEARING SCHEDULED: TUESDAY, JULY 12, 1988 at 10:30 a.m.

Variance to permit 36 parking spaces in lieu of the required 65 spaces (a variance of 10 spaces).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: McDonald's Corporation
R. Haines Harry/LMA Food Corporation
Robert W. Cannon, Esq.
File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 28, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Robert W. Cannon, Esquire
Weinberg and Green
100 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 372 - Case No. 88-531-A
Petitioner: McDonald's Corporation
Petition for Zoning Variance

Dear Mr. Cannon:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Baltimore, Md. 21221

June 16, 1988

THIS IS TO CERTIFY, that the annexed advertisement of
POP 0114 REQ M15005 TO ADVERTISE PETITION
FOR ZONING VARIANCE CASE NUMBER 88-531-A
NWC DUNDALK AVENUE AND SUNSHIP ROAD, (2822 DUNDALK AVE)
12th E.D. 7th COUNCILMANIC DISTRICT
PETITIONERS: MC DONALD'S CORP. HEARING SCHEDULED
TUESDAY JULY 12, 1988 at 10:30 am
77 Lines at \$42.35

was inserted in **The Avenue News** a weekly newspaper published in Baltimore County, Maryland once a week for successive week(s) before the 17th day of June, 1988; that is to say, the same was inserted in the issues of 6/16/ 1988.

The Avenue Inc.
per publisher
Shirley Hess

Notice of Hearing
The Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Zoning Variance
Case Number: 88-531-A
111 W. Chesapeake Avenue and Sunship Road
(2822 Dundalk Avenue)
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Petitioner(s): McDonald's Corporation
Hearing Date: Tuesday, July 12, 1988 at 10:30 a.m.
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In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
6210 June 16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines Zoning Commissioner Date: June 8, 1988

FROM: P. David Fields Director Office of Planning and Zoning

SUBJECT: Zoning Petition 88-531-A, 88-532-A

There are no comprehensive planning factors requiring comment on these petitions.

P. David Fields per J. G. Hoswell
Office of Planning and Zoning

PDF/jat
cc: Shirley Hess, People's Counsel
J. G. Hoswell
Zoning File

cc: Robert W. Cannon, Esquire

CP5-008

4/15/88
Date

Zoning Item # 372, Zoning Advisory Committee Meeting of April 19, 1988
Property Owner: McDonald's Corp.
Location: NWC Dundalk Ave. + Sunship Rd. District 12
Water Supply metro Sewage Disposal metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____, must be _____, conducted.
 - () The results are valid until _____.
 - () Soil _____ percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

Karen M. Merrey
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

**Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500**

Paul H. Reincke
Chief

April 26, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: McDonald's Corp.

Location: NW/c Dundalk Avenue and Sunship Rd.

Item No.: 372

Zoning Agenda: Meeting of 4/19/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
_____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. Joseph Kelly 42648 Noted and
Approved:
Planning Group
Special Inspection Division

Noted and
Approved: John F. O'Neill
Fire Prevention Bureau

/j1

PROTESTANT(S) SIGN-IN SHEET

NAM

ADDRESS

NAME
Oscar M Keys Jr
106 DUNDACK AVE.
Oscar M Keys III - residence

GENERAL NOTES:

- OWNER/DEVELOPER: MCDONALD'S CORPORATION
3015 WILLIAMS DRIVE
FAIRFAX, VIRGINIA 22031
- DEED REFERENCE: N/F MCDONALD'S CORPORATION
LIBER 5248, FOLIO 101
- ELECTION DISTRICT: 12
- ZONING: BL (BUSINESS, LOCAL)
- SETBACKS: FRONT: 10'
SIDE: 10' ON STREET SIDE
REAR: NONE REQUIRED ON INTERIOR SIDE
- PROPOSED ZONING: NO CHANGE
- EXISTING USE: A 2177 S.F. MCDONALD'S RESTAURANT
- PROPOSED USE: MCDONALD'S RESTAURANT PROPOSES TO CONSTRUCT A 299 S.F. ADDITIONS
- BUILDING HEIGHT: EXISTING BUILDING IS 16'-5" HIGH
THE PROPOSED ADDITION WILL BE LESS THAN 16'-5" HIGH
- SITE AREA: 37,340.2 S.F. = 0.8572 ACRES
- MAXIMUM FLOOR AREA RATIO: 3.0
- PROPOSED FLOOR AREA RATIO: .08
- PARKING REQUIRED: 1 SPACE/50 S.F.
EXISTING MCDONALD'S = 2177 S.F.
PROPOSED ADDITION = 299 S.F.
BASEMENT S.F. 3076 S.F. + 50 = 62
750 S.F. + 200 = 4
66 REQUIRED PARKING SPACES
- EXISTING PARKING: 55 STANDARD SPACES
2 HANDICAPPED SPACES
- PROPOSED PARKING: 54 STANDARD SPACES
3 HANDICAPPED SPACES
- VARIANCE REQUESTED: FOR 9 PARKING SPACES
- UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN LOCATED BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION RECEIVED. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES INVOLVED PRIOR TO THE START OF WORK.
- LOCATION OF INDIVIDUAL ELECTRIC, TELEPHONE, GAS, WATER AND SANITARY SEWER SERVICE CONNECTIONS AS SHOWN HEREON ARE UNCERTAIN. THE LOCATION OF SAID CONNECTIONS HAS BEEN FIELD LOCATED WHERE POSSIBLE, BUT IN CASES WHERE THE LINES HAVE BEEN CONSTRUCTED AND PAVED OVER, THE CONNECTIONS SHOWN ARE BASED ON PROPOSED SITE PLANS OR AN ESTIMATION OF POSSIBLE LOCATION. SHOULD EXCAVATION BECOME NECESSARY FOR MAINTENANCE OR REPAIR OF THESE LINES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY DETERMINE THE LOCATION OF THESE LINES BEFORE COMMENCING WORK.

LEGEND

BUILDING
CURB
LIGHT POLE
STACKING SPACE
FINISHED GRADE

EXISTING

PROPOSED



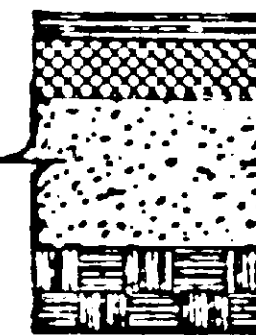
LOCATION MAP
1" = 2,000'

GENERAL NOTES:

- McDonald's Road Sign and Base are by the Sign Contractor. Conduit and Wiring are by the General Contractor.
- Bases, Anchor Bolts, Conduit, and Wiring for All Other Signs are by the General Contractor.
- 1/2" Empty Conduit to Locations Shown at the Lot Perimeter for Lot Lighting is by the General Contractor. Lighting Fixtures, Bases, Poles, Conduit, and Wiring are by the Owner/Operator.
- Bases for Flagpoles are by the General Contractor. Anchor Bolts are by the Flagpole Supplier.
- Proposed Utilities are Shown in Schematic Only. Exact Locations shall be Field Determined to Allow for the Most Economical Installation.
- The Contractor shall Coordinate with All Utility Companies to Determine Exact Point of Service Connection at Existing Utility. Refer to the Building Electrical and Plumbing Drawings for Utility Service Entrance Locations, Sizes, and Circuits.
- All Elevations Shown are in Reference to the Benchmark and must be Verified by the General Contractor At Groundbreak.
- Finish Walk and Curb Elevations shall be 6" Above Finish Pavement.
- All Landscape Areas shall be Rough Graded to 6" Below Top of All Walks and Curbs. Finish Grading, Landscaping, and Sprinkler Systems are by the Owner/Operator.

PAVING SPECIFICATION:

(Minimum 3" Total Compacted Asphalt Thickness.)



Note: McDonald's Engineer Reserves the Right to Request A Compaction Test And/Or A Core Sample If Tests Prove Correct, Per Above Specifications. Tests Will Be At The Expense Of McDonald's. Otherwise, G.C. Will Be Charged.

LOT LIGHTING RECOMMENDATION:

EXISTING TO REMAIN OR BE RELOCATED.

Note: Electrical Contractor To Circuit Lot Lighting As Noted

PARKING INFORMATION:

Total Spaces	22 Spaces	8.5 x 18 @ 75'
57	32 Spaces	8.5 x 18 @ 30'
	3HC Spaces	12 x 18 @ 30'
	Spaces	x @

UTILITY INFORMATION:

Sanitary Sewer	Size:	Type:	Location:
Water			
Storm Sewer			
Electric			
Gas			

SURVEY INFORMATION:

Prepared By: STV/LYON ASSOCIATES
21 GOVERNOR'S COURT
BALTIMORE, MARYLAND 21207
Dated: AUGUST, 1988

LEGEND:

Sanitary Sewer	S	Gas	G
Water	W	Lot Light	LP-30
Storm Sewer	ST	Existing Elevation	(76.5)
Electric	E	Proposed Elevation	77.0

PLAN SCALE: 1" = 20'

STREET ADDRESS:

2222 DUNDALK AVENUE

CITY: BALTIMORE STATE: MARYLAND
COUNTY: BALTIMORE

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

RECEIVED ZONING OFFICE

DATE: 8/26/88

JOB. NO. 7989-60-002

McDonald's

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McDonald's Corporation

MCD 14333

PLAN STATUS:

Date:

By:

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GENERAL NOTES:

- OWNER/DEVELOPER: MCDONALD'S CORPORATION
3015 WILLIAMS DRIVE
FAIRFAX, VIRGINIA 22031
- DEED REFERENCE: R/V MCDONALD'S CORPORATION
LIBER 5248, FOLIO 101
- ELECTION DISTRICT: 12
- ZONING: BL (BUSINESS, LOCAL)
- SETBACKS: FRONT: 10'
SIDE: 10' ON STREET SIDE
NONE REQUIRED ON INTERIOR SIDE
REAR: NONE
- PROPOSED ZONING: NO CHANGE
- EXISTING USE: A 2177 S.F. MCDONALD'S RESTAURANT
- PROPOSED USE: MCDONALD'S RESTAURANT PROPOSES TO CONSTRUCT A
899 S.F. ADDITIONS
- BUILDING HEIGHT: EXISTING BUILDING IS 16'-5"
THE PROPOSED ADDITION WILL BE LESS THAN 16'-5"
HIGH
- SITE AREA: 37,340.2 S.F. = 0.8572 ACRES
- MAXIMUM FLOOR AREA RATIO: 3.0
- PROPOSED FLOOR AREA RATIO: .08
- PARKING REQUIRED: 1 SPACE/50 S.F.
EXISTING MCDONALD'S = 2177 S.F.
PROPOSED ADDITION = 899 S.F.
3076 S.F. ÷ 50 = 62
BASEMENT S.F.
750 S.F. ÷ 200 = 4
66 REQUIRED PARKING SPACES
- EXISTING PARKING: 55 STANDARD SPACES
2 HANDICAPPED SPACES
- PROPOSED PARKING: 54 STANDARD SPACES
3 HANDICAPPED SPACES
- VARIANCE REQUESTED: FOR 9 PARKING SPACES

- UTILITIES AND OTHER OBSTRUCTIONS AS SHOWN HEREON HAVE BEEN
LOCATED BY ACTUAL FIELD MEASUREMENTS SUPPLEMENTED BY INFORMATION
OBTAINED FROM THE VARIOUS AGENCIES INVOLVED. HOWEVER, WE DO NOT
GUARANTEE THE ACCURACY OR THE COMPLETENESS OF THE INFORMATION
RECEIVED. THE CONTRACTOR MUST VERIFY ALL SUCH INFORMATION TO
HIS OWN SATISFACTION AND MUST NOTIFY THE UTILITY COMPANIES
INVOLVED PRIOR TO THE START OF WORK.
- LOCATION OF INDIVIDUAL ELECTRIC, TELEPHONE, GAS, WATER AND
SANITARY SEWER SERVICE CONNECTIONS AS SHOWN HEREON ARE UNCERTAIN.
THE LOCATION OF SAID CONNECTIONS HAS BEEN FIELD LOCATED WHERE
POSSIBLE, BUT IN CASES WHERE THE LINES HAVE CONSTRUCTED AND
PAVED OVER, THE CONNECTIONS SHOWN ARE BASED ON PROPOSED SITE
PLANS OR AN ESTIMATION OF POSSIBLE LOCATION. SHOULD EXCAVATION
BECOME NECESSARY FOR MAINTENANCE OR REPAIR OF THESE LINES, IT IS
THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY DETERMINE THE
LOCATION OF THESE LINES BEFORE COMMENCING WORK.

LEGEND

BUILDING
CURB
LIGHT POLE
STACKING SPACE
FINISHED GRADE

EXISTING

PROPOSED



LOCATION MAP
1" = 2,000'

- ### GENERAL NOTES:
- McDonald's Road Sign and Base are by the Sign Contractor.
Conduit and Wiring are by the General Contractor.
 - Bases, Anchor Bolts, Conduit, and Wiring for All Other
Signs are by the General Contractor.
 - ¾" Empty Conduit to Locations Shown at the Lot Perimeter
for Lot Lighting is by the General Contractor. Lighting
Fixtures, Bases, Poles, Conduit, and Wiring are by the
Owner/Operator.
 - Bases for Flagpoles are by the General Contractor. Anchor
Bolts are by the Flagpole Supplier.
 - Proposed Utilities are Shown in Schematic Only. Exact
Locations shall be Field Determined to Allow for the Most
Economical Installation.
 - The Contractor shall Coordinate with All Utility Companies
to Determine Exact Point of Service Connection at Existing
Utility. Refer to the Building Electrical and Plumbing
Drawings for Utility Service Entrance Locations, Sizes, and
Circuiting.
 - All Elevations Shown are in Reference to the Benchmark
and must be Verified by the General Contractor At
Groundbreak.
 - Finish Walk and Curb Elevations shall be 6" Above Finish
Pavement.
 - All Landscaped Areas shall be Rough Graded to 6" Below
Top of All Walks and Curbs. Finish Grading, Landscaping,
and Sprinkler Systems are by the Owner/Operator.

PAVING SPECIFICATION:

(Minimum 3" Total Compacted Asphalt Thickness.)



1" ASPHALT WEARING COARSE
2" ASPHALT BASE COARSE
6" CRUSHED ROCK BASE
COMPACTED SUB-GRADE

Note: McDonald's Engineer Reserves The Right To Request A Compaction Test And/Or A Core Sample. If Tests Prove Correct, Per Above Specifications, Tests Will Be At The Expense Of McDonald's. Otherwise, G.C. Will Be Charged.

LOT LIGHTING RECOMMENDATION:

EXISTING TO REMAIN OR
BE RELOCATED.

Note: Electrical Contractor To Circuit Lot Lighting As Noted.

PARKING INFORMATION:

Total Spaces	22 Spaces	0.5 x 18 @ 75'
57	32 Spaces	0.5 x 18 @ 90'
	3HC Spaces	12 x 18 @ 90'
	Spaces	x @

UTILITY INFORMATION:

Size:	Type:	Location:
Sanitary Sewer		
Water		
Storm Sewer		
Electric		
Gas		

SURVEY INFORMATION:

Prepared By: STV/LYON ASSOCIATES
21 GOVERNOR'S COURT
BALTIMORE, MARYLAND 21207
Dated: AUGUST, 1988

LEGEND:

Sanitary Sewer	S	Gas	G
Water	W	Lot Light	LP-30
Storm Sewer	ST	Existing Elevation	(76.5)
Electric	E	Proposed Elevation	(77.0)

PLAN SCALE: 1" = 20'

STREET ADDRESS:

2222 DUNDALK AVENUE

CITY:

BALTIMORE, MARYLAND

COUNTY:

BALTIMORE

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

PLAN APPROVALS:		CO-SIGN SIGNATURES:	
Regional Mgr.	Const. Mgr.	Regional Mgr.	Const. Mgr.
Operations Dept.	Real Estate Dept.	Operations Dept.	Real Estate Dept.
Contractor	Owner	Contractor	Owner

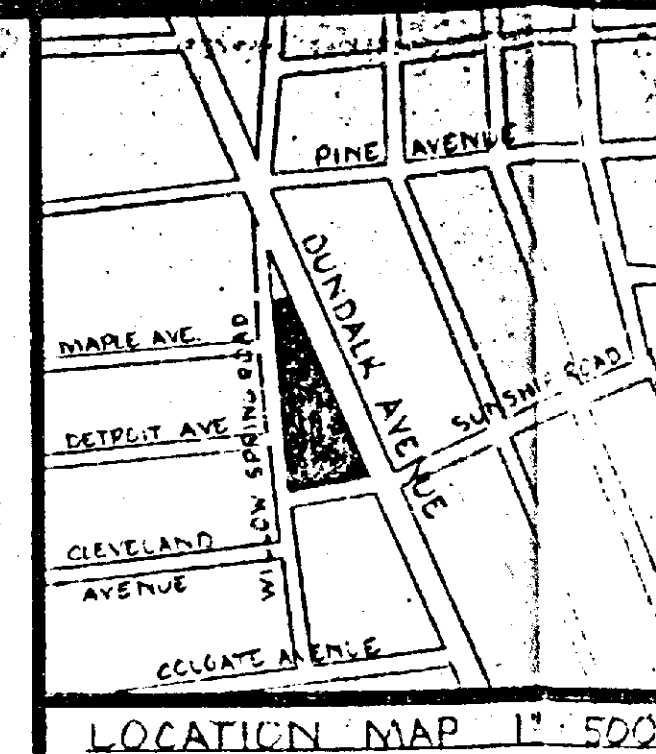
McDonald's

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MAC 14333

PLAN STATUS:	
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REGION 1 DWG. NO.:	Petitioner's
CORPORATE DWG. NO.:	Exhibit A
SP-1	



GENERAL NOTES

AREA OF PROPERTY: 37,340.2 ± SQ. FT.
 ELECTION DISTRICT: 12
 ZONING: BL
 EXISTING USE: RESTAURANT W/ DRIVE-THRU
 PROPOSED USE: RESTAURANT W/ DRIVE-THRU

- GENERAL NOTES:**
- McDonald's Road Sign and Base are by the Sign Contractor. Conduit and Wiring are by the General Contractor.
 - Bases, Anchor Bolts, Conduit, and Wiring for All Other Signs are by the General Contractor.
 - ¾" Empty Conduit to Locations Shown at the Lot Perimeter for Lot Lighting is by the General Contractor. Lighting Fixtures, Bases, Poles, Conduit, and Wiring are by the Owner/Operator.
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PAVING SPECIFICATION:
 (Minimum 3" Total Compacted Asphalt Thickness.)

1" ASPHALT WEARING COARSE
 2" ASPHALT BASE COARSE
 6" CRUSHED ROCK BASE
 COMPACTED SUB-GRADE

Note: McDonald's Engineer Reserves The Right To Request A Compaction Test And/Or A Core Sample. If Tests Prove Correct, Per Above Specifications, Tests Will Be At The Expense Of McDonald's. Otherwise, G.C. Will Be Charged.

LOT LIGHTING RECOMMENDATION:

EXISTING TO REMAIN

Note: Electrical Contractor To Circuit Lot Lighting As Noted.

PARKING INFORMATION:

Total Spaces: 56	47 Spaces	8.5' x 18'	@ 90°
	6 Spaces	8.5' x 18'	@ 75°
	3 HC Spaces	8' x 18'	@ 90°
	Spaces	x	@

UTILITY INFORMATION:

Size	Type	Location
Sanitary Sewer		
Water		
Storm Sewer		
Electric		
Gas		

SURVEY INFORMATION:

Prepared By: STYLYON ASSOCIATES
 21 GOVERNOR COURT
 BALTIMORE MD 21207

Dated: 4-22-87

LEGEND:

Sanitary Sewer	S	Gas	G
Water	W	Lot Light	LP:30
Storm Sewer	ST	Existing Elevation	(76.5)
Electric	E	Proposed Elevation	77.0

PLAN SCALE: 1" = 20'

STREET ADDRESS:
 2222 DUNDALK AVENUE

CITY: BALTIMORE **STATE:** MARYLAND

CONTRACTOR'S SIGNATURE:
 [Signature]
 [Name]
 [Title]

REGIONAL DWG. NO.: 071-19

CORPORATE DWG. NO.: SP-1

McDonald's

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AMENITY OPEN SPACE CALCULATIONS

	AMENITY SPACE
1	1271 #
2	149 #
3	887 #
4	818 #
5	174 #
6	2765 #
7	701 #
8	136 #
TOTAL AMENITY SPACE	6901 #
TOTAL GROSS FLOOR AREA	3826 #
AMENITY RATIO	6901 ÷ 3826 = 1.8

PARKING TABULATION

FIRST FLOOR SQUARE FOOTAGE:	
EXISTING: 2177 #	
PROPOSED: 899 #	
TOTAL FIRST FLOOR: 3076 # + 50 = 62	
BASEMENT SQUARE FOOTAGE:	750 # + 200 = 4
TOTAL PARKING REQUIRED	66 SPACES
TOTAL PARKING PROVIDED	56 SPACES
VARIANCE REQUIRED FOR	10 SPACES

